

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1-17 are in the application. Claims 1-13 have been withdrawn from consideration. Claims 14-17 have been examined. Claim 14 has been amended. No new matter has been added.

Applicant notes that the Examiner did not consider several references listed on the Information Disclosure Statement. With respect to DE 154155, Applicant provided a concise explanation of the relevance of this reference in the Information Disclosure Statement Submitted on February 22, 2006, in accordance with 37 CFR 1.98(a)(3)(i). Accordingly, this reference should be considered.

The Examiner rejected claim 14 under the doctrine of obviousness-type double patenting over copending Application No. 10/813,605 in view of Haddy. Applicant respectfully traverses. The claims of the copending '605 application specifically relate to the use of two separate compacting tools, while the present invention relates to a method using a single compacting tool whose diameter is reversibly reduced and enlarged to accommodate

the two different layers of the pipe. These are two completely different inventions. Claim 14 has been amended to further clarify that the same compacting tool is used for both concrete mixtures. This is further indicated by the fact that the diameter of the compacting tool is reversibly reduced by changing the direction of rotation of this same compacting tool. Accordingly, Applicant respectfully requests that the double patenting rejection be withdrawn.

The Examiner rejected claims 14 and 15 under 35 USC 103 as being unpatentable over Ottmann. Claim 16 was rejected over Ottmann in view of Gowing and claim 17 was rejected over Ottmann in view of Fosse. Applicant respectfully traverses.

Applicant has amended claim 14 to clarify that the second concrete mixture is an acid-resistant concrete mixture that is different from the first concrete mixture (see page 1, first paragraph of the specification). In contrast, Ottmann teaches that after the green pipe has been compacted, the packer head is moved upwardly through the pipe while an additional deposition of the same concrete mix on the internal surface of the pipe may take place. (see col. 3, lines 40-44).

In addition, Ottmann is silent with respect to a change in

the diameter of the compacting tool between the two steps of deposition of concrete mix. Col. 3 of Ottmann makes it apparent that the internal surface of the green pipe is compacted by the vibrating means. Thus, at the end of the compacting and vibrating step, there is a small annular gap between the compacted inner surface of the green pipe and the outer surface of the compacting tool. Only this gap is filled by the additional deposition of the concrete mix as the packer head is moved upwardly in the pipe. Consequently, there is no need to change the diameter of the compacting tool, either before or after the second deposition of concrete mix. Therefore, it is not obvious for one of skill in the art to change the diameter of the same compacting tool in view of Ottmann.

Regarding claim 16, combining Ottmann with Gowing still does not disclose a reduction of the diameter of the compacting tool prior to removing the concrete pipe from the mold. While Gowing does disclose changing the direction of rotation of the compacting tool, there is no teaching or suggestion that reversing the direction of rotation changes the diameter of the compacting tool. Therefore, Applicant submits that the claims are patentable over the combination of Ottmann and Gowing. Fosse also does not add any disclosure regarding changing the diameter of the compacting tool by reversing its direction of rotation.

Accordingly, Applicant submits that claims 14-17 are patentable over the cited references, taken either singly or in combination. Early allowance is respectfully requested.

Respectfully submitted,

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